Patent
Attorney's Docket No. 013550-091

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#7

In re Design Application of)
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GRIGORY GRISHCHENKO et al.)
)
Application No.: 09/267,383) Group Art Unit: 3749
)
Filed: March 15, 1999) Examiner: J. Lu
)
For: METHODS AND APPARATUS)
FOR CONVEYING CONTAINERS)
THROUGH AN OVEN TO PRODUCE)
HEAT-INSULATIVE FOAMED LAYERS)
THEREON)

REQUEST FOR RECONSIDERATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Official Action dated March 30, 2000, reconsideration of the present application is requested.

The present invention relates to an apparatus for producing heat-insulating paper containers, wherein a conveyor conveys containers through an oven to enable a foamable material on the containers to dry. It is important that the containers be supported in the oven so that they do not fall against one another and become stuck together. The present invention performs this function using holders to support respective containers.

An important feature of the invention is that each holder supports the respective container in a loose manner, enabling the container to freely wobble relative to its holder under the influence of conveyor vibration and air current within the oven.

As a result, no holder makes continuous contact with a given potion of a surface of its respective container in a manner which could interfere with proper heating of such surface portion and thereby prevent proper foaming thereat.

That loose-support feature of the invention is recited in claim 14, which was rejected as obvious over Thiel et al. in view of Whelan. In the Official Action it was asserted that the holders 43-46 of Whelan support containers in a loose manner whereby the containers can freely wobble relative to their containers. However, it is submitted that such an assertion is contrary to Whelan's disclosure. In that regard, Whelan intends that the containers 60 be positively rotated as they pass through a radiation oven so that all parts of the containers are contacted by radiation. That rotation is accomplished by connecting the holders 43-46 to shafts 36 and wheels 42, and by contacting the wheels 42 with a stationary rack 50 (see col. 3, lines 39-41, and col. 4, lines 24-29 of Whelan). The wheels 42 thus roll along the rack, causing the holders to be positively rotated. It is required that the holders 43-46 transmit rotary movement to the containers, which could not be accomplished if the containers were loosely mounted on the holders, i.e., the containers would slip relative to the holders. To ensure that slippage does not occur, Whelan provides the holders with resilient fingers that deflect inwardly during insertion of the container and then resiliently deflect outwardly to engage the interior wall of the container for establishing a drive transmitting relationship therewith (see col. 3, lines 32-41).

Accordingly, it will be appreciated that the containers are not loosely supported in Whelan and do not wobble relative to the holders as presently claimed. It is, therefore, submitted that Claim 14 distinguishes patentably over the combination of Thiel et al. and Whelan. The dependent claims recite further advantageous features of the invention.

For example, dependent claim 15 recites that each holder supports its respective container in a substantially vertical orientation. As is apparent from Fig. 7 of Whelan, each holder supports its respective container at an angle that is closer to horizontal than vertical (i.e., the angle measures out to be about 15° from horizontal). There is no teaching in Whelan of orienting the containers substantially vertically.

In view of the foregoing comments, it is submitted that the application is in condition for allowance.

Respectfully submitted,

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Date: June 26, 2000